

INTERNAL  
COU16002 OK**Sheila Morrison - box canyon ruling**

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**Date:** 8/19/2004 4:46 PM  
**Subject:** box canyon ruling

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## Coal mining to proceed

Salt Lake Tribune

The 10th U.S. Circuit Court of Appeals in Denver has denied an environmental group's bid to halt, at least temporarily, a coal-mining operation in the East Fork of Box Canyon in the Manti-LaSal National Forest.

The Utah Environmental Congress (UEC) sought an injunction to stop Canyon Fuel Company from mining coal while it appealed a district court decision allowing the project to commence.

The 10th Circuit granted UEC's request to expedite the appeal - oral arguments are scheduled for November. But the court rejected the group's request for an injunction, based upon the district court's earlier denial - indicating its likely position on the current motion - and the fact that UEC presented the 10th Circuit with no new evidence to support its claim.

The court also said that UEC's argument was raised too late in the process and "is therefore deemed waived."